REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Summary of the Office Action

Claims 1-3, 5, 6, 8, 10, 12, 14 and 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hayashi et al. (U.S. Patent No. 5,471,281).

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashi et al. in view of the related art section of the present application.

Claim 4 is allowed.

Claims 9, 11 and 13 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Summary of the Response to the Office Action

Applicants cancel claim 8 without prejudice or disclaimer, and amend claims 1-3, 5 and 13-15 by this amendment. Accordingly, claims 1-7 and 9-15 are currently pending.

August 23, 2004 Telephone Interview with the Examiner

As an initial matter, Applicants would like to thank the Examiner for the courtesies extended during the telephone discussion with Applicants' undersigned representative on August 23, 2004. As noted in the Interview Summary mailed on August 25, 2004, claims 1 and 3 were discussed during the August 23, 2004 interview. However, Applicants respectfully submit that no agreement with respect to the claims was reached from this interview. During the August 23, 2004 interview, the Examiner explained his interpretation of the cited reference Hayashi et al. (U.S. Patent No. 5,471,281). Although Applicants' undersigned representative did not agree

with such interpretations made by the Examiner, the undersigned representative agreed to contact Applicants for further instructions.

The Disposition of the Claims

Applicants appreciate the Examiner's allowance of claim 4 and the Examiner's indication that claims 9, 11 and 13 would be allowable if rewritten in independent form.

Accordingly, Applicants have rewritten claim 13 in independent form and amended claim 14 to depend from claim 13. Thus, Applicants respectfully submit that claims 13 and 14 are in condition for allowance.

While Applicants agree that these claims are allowable and patentably distinguish over the prior art, Applicants respectfully do not acquiesce that patentability resides only in the features expressed in paragraph 6 of the Office Action, nor that each and every feature recited in the claims is required for patentability.

Further, Applicants respectfully submit that claims 1-3, 5-7, 10, 12 and 15 are also allowable for at least the following reasons.

Claim Rejections Under 35 U.S.C. §102(b) and §103(a)

Claims 1-3, 5, 6, 8, 10, 12, 14 and 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hayashi et al. Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashi et al. in view of the related art section of the present application.

With regard to claim 8, Applicants respectfully request withdrawal of the rejection of claim 8 as the cancellation of claim 8 renders the rejection moot.

With regard to claim 14, Applicants have amended claim 14 to depend from claim 13, which is indicated to contain allowable subject matter. Thus, Applicants respectfully submit that claim 14 is allowable at least because its dependence from claim 13.

In addition, the rejections of claims 1-3, 5-7, 10, 12 and 15 are respectfully traversed for at least the following reasons.

Applicants respectfully submit that <u>Hayashi et al.</u> does not anticipate claims 1-3, 5, 6, 10, 12 and 15 because <u>Hayashi et al.</u> does not disclose all of the features of these recited claims. For instance, Applicants respectfully submit that <u>Hayashi et al.</u> does not teach or suggest the claimed combination as set forth in independent claim 1 including at least "a working part that… works on the original image data including the inhibit image data to render an altered image different from the original image at the time of scanning of the original image," and "a memory that electronically stores page by page the image data outputted from the working part."

In addition, Applicants respectfully submit that <u>Hayashi et al.</u> does not teach or suggest the claimed combination as set forth in independent claim 5 including at least "working step of…working on the original image data including the inhibit image data to render an altered image different from the original image at the time of inputting of the original image," and "storing step of electronically storing page by page the image data outputted in the working step." Applicants further respectfully submit that <u>Hayashi et al.</u> does not teach or suggest the claimed combination as set forth in independent claim 15 including at least "a working part that…works on the original image data including the inhibit image data to render an altered image different from the original images at the time of scanning the original images," and "a memory that electronically stores page by page the image data outputted from the working part."

The disclosure of the present application includes a feature in which the scanned or inputted original image including the inhibit image is rendered to have an altered image different from the original image at the time of scanning or inputting of the original image, then the

altered image data is outputted to a storing part. Thus, the scanned original image including the

inhibit image is not stored in a memory during the image processing.

In contrast to Applicants' claimed combinations as a whole, as shown in FIG. 1A,

Hayashi et al. instead discloses that the original image scanned by the CCDs (210-1, 210-2, 210-

3) is converted to digital image signals and these digital images signals are stored in respective

line memories (4403) of a shading correction circuit (4002). In particular, at column 6, lines 24-

38, Hayashi et al. teaches that:

> When the fluorescent lamp 5101 is used, the CPU stores a fluorescence signal for one
> line read from the fluorescence reference plate 5103 in corresponding line memories
> 4003 in correspondence with the read signal from the sensor 210, calculates
> multiplication coefficients for converting read data of pixels stored in the line memories
> into 255 levels in units of pixels, and stores these coefficients in coefficient memories
> 4006 for one line. When an actual original is read, the CPU reads out the multiplication
> coefficients corresponding to output pixels in synchronism with the pixel signals of a line
> read by the sensor 210, and causes multiplication devices (to be referred to as multipliers
> hereinafter) 4007 to multiply the pixel signals from the sensor 210 with the multiplication
> coefficients, thereby achieving shading correction.

Further, after the shading correction, the detection circuit (4009) of Hayashi et al.

discriminates whether or not each pixel is a fluorescent pixel. As shown in FIG. 1B of Hayashi

et al., a 4-input AND Gate (20102) supplies a binary fluorescence signal output from the

detection circuit (4009) as an enable signal of the counter (20101). Subsequently, "[t]he CPU

417 reads the count result of the counter 20101 as a CNT signal. When the count result is equal

to or larger than a predetermined value (e.g., equal to or larger than 128 pixels), the CPU detects

that a copy-inhibited original is placed on the platen." Column 7, lines 22-26 of Hayashi et al.

Thus, the arrangement of Hayashi et al. detects a copy-inhibited original based on stored and

processed image signals. Therefore, a copy inhibit image of Hayashi et al. is stored in the line

memories (4003).

During the August 23, 2004 interview, the Examiner asserted that a paper printout of Hayashi et al is a storage, as claimed in the present application. Applicants respectfully disagree. In addition, Applicants respectfully submit that the paper printout of Hayashi et al. is not the memory and does not electronically store page by page the image data outputted from the working part, as set forth in Applicants' claimed combinations.

Hence, Applicants respectfully submit that Hayashi et al. does not teach or suggest the claimed combination as set forth in independent claim 1 including at least "a working part that… works on the original image data including the inhibit image data to render an altered image different from the original image at the time of scanning of the original image," and "a memory that electronically stores page by page the image data outputted from the working part."

In addition, Applicants respectfully submit that Hayashi et al. does not teach or suggest the claimed combination as set forth in independent claim 5 including at least "working step of…working on the original image data including the inhibit image data to render an altered image different from the original image at the time of inputting of the original image," and "storing step of electronically storing page by page the image data outputted in the working step." Applicants further respectfully submit that Hayashi et al. does not teach or suggest the claimed combination as set forth in independent claim 15 including at least "a working part that…works on the original image data including the inhibit image data to render an altered image different from the original images at the time of scanning the original images," and "a memory that electronically stores page by page the image data outputted from the working part."

M.P.E.P. § 2131 states "[t]o anticipate a claim, the reference must teach every element of the claim." Applicants respectfully submit that since Hayashi et al. does not teach or suggest all of the features of independent claim 1, 5 and 15, Hayashi et al. does not anticipate claims 1, 5
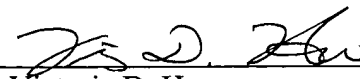
and 15. Further, since claims 2, 3, 6, 10 and 12 depend from claim 1 or 5, it is respectfully submitted that <u>Hayashi et al.</u> also does not anticipate claims 2, 3, 6, 10 and 12. Moreover, Applicants respectfully submit that claim 7 is allowable at least because of its dependence from claim 1 and because the related art section of the present application fails to remedy the deficiencies of <u>Hayashi et al.</u>. Accordingly, withdrawal of the rejection of claims 1-3, 5, 6, 10, 12 and 15 under 35 U.S.C. §102(b) and withdrawal of the rejection of claim 7 under 35 U.S.C. §103(a) are respectfully requested.

Conclusion

In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

By: _____
Victoria D. Hao
Registration No. 47,630

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Customer No.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202.739.3000

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